

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NICOLE WHITE,

Plaintiff,

- against -

MEMORANDUM & ORDER

19-CV-1937 (RRM) (RML)

EQUIFAX,

Defendant.

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ROSLYNN R. MAUSKOPF, United States District Judge.

Plaintiff Nicole White brought this action alleging claims under the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*, against defendants Trans Union and Equifax. (Doc. No. 1-1.) On April 3, 2019, this action was removed from the Civil Court of the City of New York, County of Kings, to this Court by Trans Union, with the consent of Equifax. (Notice of Removal (Doc. No. 1); Consent to Removal (Doc. No. 1-2).) Trans Union was subsequently dismissed on July 8, 2019, pursuant to a joint stipulation of dismissal executed by Trans Union and White. (Doc. No. 8.) On July 9, 2019, the Court directed White to “file a letter explaining whether she intends to pursue” her claims against Equifax by July 22, 2019. (Order of 7/9/2019.) The Court warned White that “failure to comply with th[e] Order in a timely manner may result in dismissal for failure to prosecute.” (*Id.*) White failed to file a letter with the Court, and on August 6, 2019, the Court directed White to file a letter regarding her claims against Equifax by August 16, 2019, stating, “Failure to do so will result in dismissal for failure to prosecute.” (Order of 8/6/2019.)

These deadlines have now passed and, to date, White has not filed a letter regarding her claims against Equifax. Accordingly, White’s claims against defendant Equifax are hereby dismissed for failure to prosecute consistent with the Court’s Order of August 6, 2019. (Order of 8/6/2019.) The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order

would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 428, 444–45 (1962). The Clerk of Court is directed to enter judgment with respect to White’s claims against Equifax and to mail a copy of this Memorandum and Order and the Judgment to the *pro se* plaintiff.

SO ORDERED.

Dated: Brooklyn, New York
October 15, 2020

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
Chief United States District Judge